

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BIRMINGHAM-JEFFERSON COUNTY)
TRANSIT AUTHORITY AND)
AMALGAMATED TRANSIT UNION)
LOCAL 725 EMPLOYEES' CONTRI-) NO. 3:09-0304
UTORY RETIREMENT PLAN, et al.) JUDGE CAMPBELL
)
v.)
)
DAVID J. BOATWRIGHT)

ORDER

Pending before the Court are Defendant's Motion to Change Venue (Docket No. 38); Plaintiffs' Motion to Strike Counterclaims (Docket No. 40); Plaintiffs' Motion to Compel Discovery (Docket No. 44); Plaintiffs' Second Motion to Compel Discovery (Docket No. 46); Defendant's Motion for Summary Judgment (Docket No. 78); and Defendant's Motion for Deferment of Ruling on Defendant's Motion to Transfer Venue (Docket No. 88).

Plaintiffs' Motion to Strike Counterclaims (Docket No. 40), Plaintiffs' Motion to Compel Discovery (Docket No. 44), and Plaintiffs' Second Motion to Compel Discovery (Docket No. 46) are referred to the Magistrate Judge for decision.

For the reasons stated in the accompanying Memorandum, Defendant's Motion to Change Venue (Docket No. 38) is DENIED; Defendant's Motion for Summary Judgment (Docket No. 78) is DENIED without prejudice to refiling once discovery is complete; and Defendant's Motion for Deferment of Ruling on Defendant's Motion to Transfer Venue (Docket No. 88) is moot.

IT IS SO ORDERED.

Todd Campbell
TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE